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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA10 ALONZO EVANS, ) No. C 06-5070 MMC (PR)  
11 Plaintiff, ) **ORDER OF DISMISSAL**  
12 v. )  
13 CALIFORNIA PAROLE COMMUNITY ) (Docket Nos. 2, 5)  
14 SERVICES DIVISION, et al., )  
15 Defendants. )  
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17 Plaintiff, a California prisoner proceeding pro se, filed the above-titled civil rights  
18 action on August 22, 2006. That same date, the Court notified plaintiff in writing that the  
19 action was deficient due to his failure to pay the requisite filing fee or, instead, submit a  
20 completed court-approved in forma pauperis ("IFP") application. Specifically, plaintiff was  
21 informed that he had failed to include the required trust account statement showing  
22 transactions for the preceding six months and a certificate of funds form signed by an  
23 institution official. In said notice, plaintiff was advised that his failure to pay the filing fee  
24 or, alternatively, to file a completed IFP application, including the trust account statement  
25 and the signed certificate of funds form, within thirty days, would result in dismissal of the  
26 action. Along with said notice, plaintiff was sent a copy of the Court's IFP application,  
27 instructions for completing it, and a return envelope. To date, plaintiff has neither paid the  
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1 filing fee nor submitted a completed IFP application.<sup>1</sup>

2 As more than thirty days have passed since the deficiency notice and plaintiff has not  
3 completed the IFP application or paid the filing fee, the above-titled action is hereby  
4 DISMISSED without prejudice.<sup>2</sup>

5 The incomplete application to proceed IFP is DENIED. In light of the dismissal of  
6 this action, the request for appointment of counsel is DENIED as well.

7 This order terminates Docket Nos. 2 and 5.

8 The Clerk shall close the file.

9 IT IS SO ORDERED.

10 DATED: November 2, 2006

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12 MAXINE M. CHESNEY  
13 United States District Judge  
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24 <sup>1</sup>On October 11, 2006, plaintiff filed a trust account statement in a separate case, In re.  
25 Evans, No. C 06-6377 MMC (PR). Even if plaintiff intended such statement for filing  
26 herein, the IFP application is deficient because plaintiff never filed the requisite certificate of funds.

27 <sup>2</sup>The Court notes that the allegations, relief sought, and defendants in the complaint  
28 herein are duplicative of those in the complaint in another case plaintiff filed on the same date as the instant case, Evans v. California Parole Community Services Division, No. C 06-5070 MMC (PR).